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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

DANIEL MARSICO

Criminal No. 24-12

(18 U.S.C. §§ 2261A(2)(A) and (B))

[UNDER SEAL]

INDICTMENT

COUNT ONE

FILED

JAN 23 2024

The grand jury charges:

CLERK U.S. DISTRICT COURT
WEST DIST OF PENNSYLVANIA

Relevant Individuals and Entities

1. DANIEL MARSICO, the defendant, resided in the Western District of Pennsylvania at all times material to this Indictment.

2. Person 1 resided in the Western District of Pennsylvania at all times material to this Indictment.

3. Person 1 was in a romantic relationship with DANIEL MARSICO from in and around 2017 to in and around 2020.

4. Person 2 and Person 3 are former romantic partners of Person 1.

5. Person 4 is the current romantic partner of Person 1.

6. Person 5 is the mother of Person 1.

Summary of Allegations

7. Over the course of three and a half years, DANIEL MARSICO harassed, threatened, and intimidated his ex-girlfriend, Person 1, by stalking her through text messages, phone calls, online, and in person. After their relationship ended in 2020, DANIEL MARSICO messaged Person 1 persistently, continuing even after Person 1 obtained a court order against him and after he was arrested. DANIEL MARSICO's messages threatened Person 1, threatened her

employment, and threatened other people in her life. He produced surreptitious, lewd, and embarrassing images of Person 1 and used those images to create fake social media accounts in her name. DANIEL MARSICO also posted about Person 1 on other internet websites.

8. During the course of his criminal conduct, DANIEL MARSICO physically assaulted Person 1's ex-boyfriend. He came to Person 1's home uninvited multiple times, placing her in fear and forcing her to seek safety elsewhere. DANIEL MARSICO kicked in Person 1's door, caused other damage to her home, and threatened to dismantle her security cameras. He surveilled her home and messaged her the license plate numbers of cars he thought were visiting her. When Person 1 blocked DANIEL MARSICO's phone number, he called and messaged her using anonymous means. When Person 1 sought the assistance of law enforcement, DANIEL MARSICO escalated his threats and asserted that he would never be convicted of stalking her. DANIEL MARSICO told Person 1 that he was the "craziest, smartest . . . psychopathic fucker" she had ever met, and that he had an unhealthy fascination with violence. DANIEL MARSICO's course of conduct placed Person 1 in reasonable fear of death and serious bodily injury and caused Person 1 substantial emotional distress.

The Defendant's Cyberstalking Campaign

9. Person 1 ended her relationship with DANIEL MARSICO in and around June 2020.

10. After the relationship ended, DANIEL MARSICO continued to message Person 1 despite Person 1's repeated requests for months for him to stop contacting her.

11. In and around November 2020, DANIEL MARSICO broke through Person 1's door and attacked Person 2 (a former romantic partner of Person 1), who was then visiting

Person 1 at her home.

12. After the assault, DANIEL MARSICO continued to contact Person 1 against her wishes. On or about November 29, 2020, DANIEL MARSICO threatened via text message that if Person 1 did not answer his calls and messages, he would harm Person 3, another ex-boyfriend of Person 1: "Answer me or [Person 3's] next on my list. I already gave his information to my friend who got out of prison."

13. On multiple occasions, Person 1 pleaded with DANIEL MARSICO to stop contacting and harassing her. For example, on or about January 25, 2021, Person 1 texted DANIEL MARSICO, "Please just please please please please stop!!! Fucking please!!!! Its EVERYDAY I CAN'T TAKE IT."

14. DANIEL MARSICO responded, "I'm not going anywhere."

15. And in fact, the following day, on or about January 26, 2021, DANIEL MARSICO texted Person 1 with harassing and threatening messages, including the following:

- a. I know you're awake. All your lights are on.
- b. Is someone over there? A guy??
- c. Tell me now or I'll find out.
- d. I'm coming over if you don't answer me.
- e. You have 5 minutes.
- f. And you know I don't bluff.
- g. You're in fucking trouble.
- h. Why aren't you at your house?
- i. Well I'm in your house now. I'll be waiting til you get home.

- j. If you're with a guy I WILL put him in the hospital.
- k. Answer me or I'm kicking in your other door.
- l. Under fucking stand?
- m. I'm going to call one more time and if you don't answer I'm kicking in your fucking door.
- n. [Person 1,] you better answer.
- o. I don't just give up.
- p. I have other alternatives.
- q. Do you understand me?
- r. In other words, DON'T FUCK WITH ME.
- s. Send me a text before shit gets reeeeeeally ugly.
- t. And you know I can make it happen.
- u. You have five fucking minutes.
- v. Fuck you.
- w. You out with a guy?
- x. I got pictures too from years ago.
- y. You're fucked.
- z. Nobody gets away with breaking my heart.
- aa. Answer me before it gets worse.
- bb. Oh [Person 3] is responding.
- cc. He wants to meet.
- dd. I'm calling my friends to jump him.

ee. All because of you.

ff. Ok gotta go beat his head in.

gg. Later.

16. DANIEL MARSICO also threatened multiple times via text message that same night that he would tell Person 1's employer things about her that could cause her to lose her job and that he would post pictures of Person 1 undressed on her employer's Facebook page.

17. Person 1 was in fear for her safety and stayed at an alternative location on or about January 26, 2021, because of DANIEL MARSICO's threatening messages and conduct. At all times during the charged offenses, DANIEL MARSICO resided in very close proximity to Person 1, which he leveraged to stalk, harass, and intimidate Person 1. Indeed, there were multiple occasions when Person 1, who lives alone, had to seek shelter away from her home based upon DANIEL MARSICO's threatening, harassing, and intimidating messages and conduct.

18. Over several months in 2021, DANIEL MARSICO continued to text Person 1 with harassing and threatening messages. Often, he would threaten to kill himself and blame Person 1.

19. DANIEL MARSICO also repeatedly reminded Person 1 that he resided close to her and could surveil her and her visitors. For example, on or about February 23, 2021, DANIEL MARSICO texted Person 1, "Well, just drove by your house. I see that you had company last night. Who is he?" That same day, Person 4 (Person 1's current boyfriend), noticed that his truck was keyed on the driver's side. His truck had been parked near Person 1's home.

20. On or about July 11, 2021, DANIEL MARSICO texted Person 1, "you know I live close, so good luck with a new boyfriend."

21. On or about July 17, 2021, DANIEL MARSICO texted Person 1 multiple times, and when she did not answer, he texted a string of messages, including the following:

- a. You either answer your fucking phone or I'm waiting here on your porch until you get home.
- b. And if you're with another guy I will fucking destroy him.
- c. I got a busy night ahead of me.
- d. First is [Person 2], then [Person 3], then I get creative.
- e. Don't underestimate me.
- f. I could most definitely put your next boyfriend in the hospital, though.
- g. Or the ground.

22. In response to these and many other messages on or about July 17, 2021, Person 1 told DANIEL MARSICO that she would contact the police. DANIEL MARICO texted Person 1, "if you get the police involved and ruin my life more you'll certainly fucking regret it."

23. On or about July 18, 2021, DANIEL MARSICO texted to Person 1 that "I ruin your life in private" and that "Oh I'm totally a stalker. I didn't deny that."

24. On or about July 19, 2021, DANIEL MARSICO texted Person 1, "I was driving home past your house and decided to put your garbage can back." He also texted that he would not change his behavior in fear of any legal consequences because "I don't respect cops or judges. I think they're a bunch of dumb dogs."

25. DANIEL MARSICO texted Person 1 on or about July 19, 2021, "I know when you have company you have them park farther down the street," and then messaged her the license plate number of a vehicle that had been parked near her home. Person 1 was in persistent

fear that DANIEL MARSICO was surveilling the visitors to her home and would begin stalking them.

26. Person 1 told DANIEL MARSICO that she could obtain a Pennsylvania Protection from Abuse Order, or PFA, against him to stop the harassment. On or about July 19, 2021, DANIEL MARSICO texted Person 1, “You get a pfa and nothing is sacred. Your family and friends will know all the terrible things you’ve done and said about them. You can’t fuck my life up and expect nothing in return. I will ruin you just as badly as you’ll ruin me. Do we understand each other?”

27. On or about July 21, 2021, DANIEL MARSICO texted Person 1, “Even when we were dating, I’d have dreams you’d be dating other guys and I’d end up brutalizing them. I think jail would be worth it.”

28. On or about July 24, 2021, Person 1 said she would block him and he responded, “And I can just call you from a blocked number remember?” Person 1 did in fact block DANIEL MARSICO multiple times over the years, but he would initiate contact from anonymous numbers.

29. DANIEL MARSICO continued to send Person 1 a barrage of hundreds of messages at all hours of the day and night. As just one of many examples, on or about July 28, 2021, he texted Person 1 over 150 times.

30. On or about August 14, 2021, DANIEL MARSICO texted Person 1 multiple messages, including the following:

- a. I’m giving you one more chance to answer your phone.
- b. You should probably check Facebook.

- c. My page, your friend's pages, your work page, and more.
- d. Do you want me to wait on your porch because I will.
- e. That camera is easy to take down. I put it up, remember?
- f. So I'm not going to say it again. When I call. Fucking answer.
- g. Ok that's it. I hope you're having fun because you're going to wake up to a terrible morning.
- h. You've made my absolute worst nightmare come true. And that's not something I walk away from.
- i. I'm just chilling on your back deck. Try recording me.
- j. And if you take me to court. Nothing will be sacred. I will equal you in all the personal information you share about me.

31. On or about August 15, 2021, DANIEL MARSICO texted Person 1 multiple messages, including the following:

- a. I never saw myself as Ted Bundy. I respect women while he hated them. I'm more of a Jekyll and Hyde. I'm good and Evil. I'm the most charming empathetic person person [*sic*] who helps people, but hurt my feelings and the gloves are off. Though Ted worked at a suicide hotline and probably helped tons of people only to moonlight as a killer, rapist, and necrophile. Meanwhile all of those things disgust me. I'm just a verbally abusive person to everyone I love.

32. On or about August 17, 2021, Person 1 told DANIEL MARSICO she was going to block him. He responded, "*67 and I can call you whenever I please." He also texted

over 100 messages that day, to include:

- a. Facebook will become your nightmare. Nothing will be sacred.
- b. You don't do this to me with no consequences.
- c. I'm coming over after you get off work too.
- d. Understand?
- e. Call the police
- f. See how much worse that makes things.
- g. You say you don't care. But, you know me. I'll make you care.
- h. Hell, I have the means to hack into your Facebook account but under the false belief that you still loved me I refrained.
- i. Oh and I took videos of us fucking with my phone. Your face is clear in them. So I'll be making use of those too.
- j. I messaged [Person 2, Person 3, and others]. Be prepared for that.
- k. Fucking answer me!!!!!!
- l. I'll go to your house right now and kick that fucking door in!!!!
- m. I'm putting this shit up on [Person 1's employer's] page. And these are actually very tame of what I have.
- n. Call the police and you'll be an internet star before they get here. Is that what's going down?
- o. Ok you're officially a porn star now.
- p. Only thing I can't step down from is what will happen to your next boyfriend. . . . I don't make macho idle threats then pussy out.

q. I didn't even know the context of [Person 2] being in your home and you saw what I did. Imagine someone you were confirmed to be sleeping with.

33. On or about August 18, 2021, DANIEL MARSICO texted Person 1, "I'll shut you up real quick."

34. On or about September 12, 2021, DANIEL MARSICO texted Person 1, "I don't know why you block my number. You'd think getting a blocked call would be more annoying than a text."

35. On or about September 13, 2021, DANIEL MARSICO texted Person 1 numerous messages containing degrading comments regarding her appearance and threatening to share secret, lewd images he had taken of her on social media. Person 1 disclosed to DANIEL MARSICO that she was seeing another man (Person 4). After learning this information, DANIEL MARSICO arrived at Person 1's house within minutes. He entered her porch and then damaged property belonging to Person 1.

36. DANIEL MARSICO left Person 1's residence, but then texted, "Do you wanna answer or have me come back over?"

37. DANIEL MARSICO then sent Person 1 a series of derogatory and threatening messages throughout the night from on or about September 13, 2021, to on or about September 14, 2021, including the following:

- a. But seriously I hope you die.
- b. You know I'll always be around.
- c. Right?

- d. Like running to your new faggot boyfriend's house for the night isn't going to solve the long term problem.
- e. You know I'm going to fuck this guy up, right?

38. On or about September 13, 2021, DANIEL MARSICO created a fake Facebook account in Person 1's name. He made the profile picture of that account a lewd image of Person 1 that he had taken without her knowledge. He texted a screenshot of the new account he had created to Person 1 and stated:

- a. Now everytime searches your name that will pop up
- b. You're also on multiple dating sites including your number and address
- c. friend requested all your friends to your ass profile. I just used everyone who liked your profile pic. We'll see who accepts in the morning

39. On or about September 14, 2021, Person 1 received the messages from DANIEL MARSICO about the fake account made in her name. She also had at least 80 missed calls from DANIEL MARSICO.

40. DANIEL MARSICO continued to harass Person 1 throughout the day on or about September 14, 2021. He texted, among other things:

- a. You call me stupid. But, when I'm driven and don't give a fuck what happens to me, I make it through. And I'm your case I'd probably have a little less of jail time at most. My job would be ruined sure. But, it's not as painful as what you put me through. And I'll be back and more nihilistic than ever.

41. Person 1 told DANIEL MARSICO that she was going to press charges

against him for the harassment and the creation of the Facebook page with lewd images, and DANIEL MARSICO admitted that he had created the Facebook account “to scare” Person 1 and that “I knew what I was doing and take full responsibility. . . . I’m not the victim. I’m the villain. . . . And also note that while fb is solid evidence. I could be plastering you all over the place and as long as I keep my mouth shut I can’t be convicted [*sic*]. The internet is a sketchy slope. And I got crotch shots too. But, I figure that’s a little too tasteless for fb.”

42. DANIEL MARSICO further threatened, “I’m the craziest, smartest, mommy st psychopathic fucker you’ve probably known in your life. And I’ve had an unhealthy creative fascinating nation [fascination] with violence since I was 8. So please, if [Person 4] has a hero complex send him my way. If only you knew the horrible things I’ve done to ‘heroes’ in the past and you might second guess it.”

43. Person 1 did contact the police, who contacted DANIEL MARSICO by phone. He then texted Person 1, “Got a call from police. Told me not to contact you.” Despite this, DANIEL MARSICO continued to contact Person 1, referring to the Facebook page he had made with the lewd image of her. He also texted:

- a. I really enjoyed today.
- b. You should’ve known not to fuck with me. I mean you’ve known for years what happens to people who piss me off. And you had the nerve to taunt me?
- c. And you’re silent cause you went to the cops. The cop on the phone was actually really nice and appreciated that I just straight up admitted to everything I did.

- d. And your new fb profile is not coming down. I made it even worse now.
- e. Because you are my enemy, you're shit, and I hate you.
- f. I'm honestly loving this. After a year of you putting me through a living hell, I really get off on hearing you cry over your ruined reputation over the course of one day.

44. DANIEL MARSICO then sent Person 1 another screenshot of the fake Facebook account, which he had updated to include additional images of Person 1 that had been taken without her knowledge. He then told Person 1 that he would share even more explicit sexual images of her that he had taken without her consent on another website, telling Person 1 that, "I'm saving those pictures for another site. Oh and for the record, I am completely loving and loyal to those I love. But to anyone who crosses me, I AM a complete psychopath." He also warned Person 1 that, "You don't know what anxiety is yet." He also texted Person 1 that, "I'm making you a LinkedIn account."

45. On or about September 14, 2021, Person 1 filed for and was granted an emergency PFA against DANIEL MARSICO. Person 1 reported to the police that DANIEL MARSICO, among other things, was texting and calling her persistently, had created a fake Facebook account in her name that included lewd photos that had been taken without Person 1's knowledge or consent, and had come uninvited to Person 1's home.

46. Under the terms of the emergency PFA, DANIEL MARSICO was ordered to refrain from contacting or harassing Person 1.

47. After the emergency PFA was served, on or about September 14, 2021, DANIEL MARSICO texted Person 1:

- a. Just got delivered a pfa and the cops were REALLY nice! Just my good luck! Don't worry I won't be directly contacting you again.
- b. Keyword directly.
- c. This whole thing has been hilarious.
- d. Joking around with cops delivering a pfa.
- e. You HAVE to find that funny.
- f. You keep putting me in a good mood. Thank you.
- g. I beat up my neighbor and charmed my way out of it with the cops. You think being delivered a pfa phases me in the slightest?
- h. [T]he paper says I can't contact you. But, didn't order me to take your new Facebook page down. So I revised it I have enough ammo, resources, and friends to fuck you up without contact.

48. DANIEL MARSICO then texted Person 1 pictures of the again-updated Facebook page, which now included additional personal and lewd images and text. DANIEL MARSICO texted Person 1 that the fake Facebook page was "my masterpiece." Person 1 reported the PFA violations to the police and DANIEL MARSICO was arrested.

49. On or about September 29, 2021, a final PFA was issued by the Court of Common Pleas of Allegheny County, Pennsylvania, with Person 1 as the listed Plaintiff and DANIEL MARSICO as the listed Defendant. The PFA expired on March 29, 2023, but was later extended through December 15, 2024.

50. Under the terms of the PFA, it was ordered, among other things, that:

- a. DANIEL MARSICO "shall not abuse, harass, stalk, threaten, or attempt

or threaten to use physical force against” Person 1; and

b. DANIEL MARSICO “shall not contact” Person 1.

51. After the Final PFA was issued, DANIEL MARSICO continued harassing and contacting Person 1, despite the existence of the order and despite having been arrested for his conduct. By in and around October 2021, DANIEL MARSICO’s incessant texting and calling had resumed. DANIEL MARSICO texted Person 1 approximately 1,300 times after the PFA was issued, from on or about September 15, 2021 through the end of 2021. DANIEL MARSICO also sent Person 1 messages through Facebook, in violation of the PFA.

52. DANIEL MARSICO continued to send text messages to Person 1 from his phone number in 2022. In addition, his stalking also took on other forms.

53. For example, from in and around December 2021 through in and around January 2023, DANIEL MARSICO texted Person 4, Person 1’s current boyfriend. DANIEL MARSICO insulted Person 4 (for example, calling him a “useless faggot”) and informed Person 4 that he was not violating the PFA by contacting Person 4 because “this isn’t third party in case [Person 1] is wondering, because id have to be asking for you to pass on a message or get information about her. That’s where she fucked up her case.”

54. On or about January 22, 2022, DANIEL MARSICO texted Person 4 a series of messages, including:

- a. I tucked [fucked] up the last guy she invited over . . . if it’s weren’t court ordered that I keep my distance, you would have been in the hospital a long time ago.
- b. And you don’t think my friends know your number and address?

c. You want me to drive to your place tonight.

d. I grew up with a fascination with violence.

55. On or about June 15, 2022, DANIEL MARSICO messaged Person 4 on Facebook, "Mother fucker, I'm 6'3, angry as fuck, mentally ill, and hyper violent."

56. In addition, in and around July 2022, Person 1 learned that an additional Facebook account in her name had been created. The picture associated with the account was one of the pictures that DANIEL MARSICO had sent to Person 1 and had admitted that he took of her without her knowledge. Multiple people received friend requests from this new page, and alerted Person 1 to its existence. Person 1 did not create this Facebook account.

57. In and around September 2022, DANIEL MARSICO began texting Person 5, Person 1's mother. The messages continued for months and were emotionally distressing to Person 5 and Person 1.

58. In and around October 2022, Person 1's phone number and email address were posted on an application called AntiLand, which markets itself as "a truly anonymous and secure group chats messenger app that helps you mask your secret identity so you can make friends online and meet new people all over the world."

59. Person 1 discovered that, on AntiLand, someone was pretending to be Person 1, chatting with other AntiLand users, sending Person 1's phone number and email address to these users, and asking the users to message Person 1 off the app.

60. Users of the AntiLand app began messaging Person 1. When Person 1 told the individuals that it was not her who was communicating with them on the app, one individual replied, "well, I've been told to blackmail you" and "If you send me pics, I'll stop texting you."

Another replied that he/she had been instructed on the app to “scare you or send you [dick picks].”

61. In addition, DANIEL MARSICO used Proton Mail to send Person 1 anonymous email messages from in and around November 2022 through in and around December 2022. Proton Mail is a private, encrypted, web-based email service headquartered in Switzerland that allows users to create anonymous email addresses and send messages.

62. In one anonymous message sent using Proton Mail, DANIEL MARSICO said, “If you never would have gotten a pfa to save your ass from looking like a slut who uses guys and leads them on, we could have both gotten closure.” DANIEL MARSICO also made derogatory comments regarding Person 1’s appearance in these messages. DANIEL MARSICO also told Person 1 through the messages from Proton Mail that he dreams about her every other night but wakes up “angry with very immature resolutions.”

63. Also, in and around January 2023, Person 1 discovered that her picture and name had been posted on a website titled, “She is a home wrecker.” The text on the website read, “[Person 1] fucked my husband. Stay away from this [Person 1’s occupation] by day, slore by night at all costs!”

64. In addition, in and around October 2023, DANIEL MARSICO created a profile for Person 1 on Reddit, and stated, “My name is [Person 1] and I’m a recovering Narcissist . . . Any tips?” This Reddit account has not been deleted.

65. The course of conduct of DANIEL MARSICO, has placed Person 1 in fear of death and serious bodily injury to herself or others and has caused substantial emotional distress.

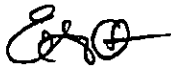
Statutory Allegation

66. From in and around June 2020, and continuing thereafter to in and around January 2024, in the Western District of Pennsylvania, the defendant, DANIEL MARSICO, with the intent to injure, harass, intimidate, and place under surveillance with intent to injure, harass, and intimidate another person, that is, Person 1, used and caused to be used interactive computer services, electronic communication services, electronic communication systems of interstate commerce, and other facilities of interstate and foreign commerce to engage in a course of conduct that placed Person 1 in reasonable fear of death and serious bodily injury, to Person 1 and to others, and that caused, attempted to cause, and would reasonably be expected to cause substantial emotional distress to Person 1.

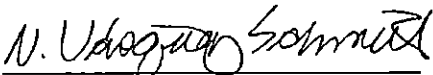
In violation of Title 18, United States Code, Sections 2261A(2)(A) and (B).

A True Bill,


FOREPERSON



ERIC G. OLSHAN
United States Attorney
IL ID No. 6290382



NICOLE VASQUEZ SCHMITT
Assistant United States Attorney
PA ID No. 320316